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Attorneys for Plaintiff
ROYALTY PHARMA COLLECTION TRUST



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

11 ROYALTY PHARMA COLLECTION
TRUST,

Plaintiff,

14 v.
15 GILEAD SCIENCES, INC.,
16 Defendant

Defendant.

Case No. 4:21-cv-09954-YGR

**ORDER GRANTING NOTICE OF
VOLUNTARY DISMISSAL WITHOUT
PREJUDICE**

Hon. Yvonne Gonzalez Rodgers

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff Royalty Pharma Collection Trust (“RPCT”) hereby voluntarily dismisses the above-referenced matter without prejudice, in accordance with Federal Rule of Civil Procedure 41(a). As basis for the dismissal, Plaintiff states the following:

1. On December 17, 2021, RPCT filed the instant action in The Superior Court of California, San Mateo County, seeking damages for alleged breach of contract by Defendant Gilead Sciences, Inc. (“Defendant” or “Gilead”) (together with Plaintiff, the “Parties”).

2. On December 22, 2021, Gilead removed this action to this Court, alleging that this Court has jurisdiction over Plaintiff's complaint under 28 U.S.C. § 1441(a).

3. RPCT contests that this Court has jurisdiction over this action because there is no requisite complete diversity of citizenship between the Parties. RPCT has communicated this position to counsel for Gilead.

4. As explained in detail its Motion to Dismiss in Favor of Arbitration, filed January 12, 2022, Gilead now contends that this dispute is arbitrable.

5. Accordingly, RPCT filed a demand with the American Arbitration Association this morning with the same claims as the complaint in this action.

6. RPCT therefore voluntarily dismisses this action without prejudice pursuant to Rule 41(a) so that the parties may proceed with arbitration of their dispute.

Dated: January 26, 2022

Respectfully submitted,

GOODWIN PROCTER LLP

By: /s/ Laura A. Stoll
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*ROYALTY PHARMA COLLECTION TRUST***

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the
3 United States District Court for the Northern District of California by using the CM/ECF system
4 on January 26, 2022. I further certify that all participants in the case are registered CM/ECF users
5 and that service will be accomplished by the CM/ECF system.

6 I certify under penalty of perjury that the foregoing is true and correct. Executed this 26th
7 day of January, 2022.

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GOODWIN PROCTER LLP
ATTORNEYS AT LAW
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